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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,365	07/28/2000	Roswell Robert III	SGUS0008-3	3941
7590 12/24/2003				
Robert C Ryan StarGuide Digital Networks Inc 300 E Second Street Suite 1510 Reno, NV 89501		EXAMINER VANDERPUYE, KENNETH N		
		ART UNIT PAPER NUMBER		
		2661		
		DATE MAILED: 12/24/2003 14		

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/627,365

Applicant(s)

ROBERT III ET AL.

Examiner

Kenneth N Vanderpuye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 20-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 20-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Objections*

### *Claim Rejections - 35 U.S.C. § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willis et al(6,385,647) in view of Thomasson(6,205,473)

With regards to claims 20, Willis teaches a method of transmitting IP digital media content through an extraterrestrial satellite to a remote IP compatible network, the method comprising:

transmitting IP packets from a digital content server system through extraterrestrial satellite to a remote IP compatible network(Fig. 1@100, 120); separately transmitting TCP/IP packets from said digital content server system through Internet infrastructure to said remote IP compatible receiving system(Fig. 1@100, 170, 150). Willis fails to teach sending IP packets via satellite. Although Thomasson is silent as to sending IP packets over the satellite, in Fig. 4, it is implied that the packet received at the server could be IP packets. This also means that whole IP packets are transmitted and not segmented. Also Willis fails to teach the step of receiving said

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IP packets at an integrated satellite receiver in communication with said remote IP compatible network and routing said packets from a routing processor system mounted within said integrated satellite receiver to a remote IP compatible receiving system in communication with said IP compatible network. Thomasson teaches these limitations(In Fig. 2, the server acts as a routing processor Fig. 2, TCP/IP protocol stack. In Fig. 4, the server determines if the packet is an IP packet and processes the packet for Internet delivery, the server has a layer 3 protocol stack hence can process IP packets. The server/satellite dish are considered one unit hence can be called an integrated satellite receiver/router. It would have been obvious to one of ordinary skill in the art to combine Thomasson with Willis and for the purpose of enabling the routing of IP packets at the receiver. The motivation being to enable routing of IP packets over the Internet.

Claim 21 is rejected because Willis teaches IP multicasting.

Claim 22 is rejected because the multicast system in Willis is IGMP compatible(col. 10 lines 61-67).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Vanderpuye whose telephone number is (703) 308-7828. The examiner can normally be reached on M-F from 6:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms, can be reached on (703) -305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

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Kenneth Vanderpuye

December 15, 2003

**KENNETH VANDERPUYE**  
**PRIMARY EXAMINER**